

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA)	
)	
)	NO. CR-05-388
)	
v.)	
)	
RICHARD REICHERT)	JUDGE: HONORABLE ALAN N. BLOCH

PETITION TO MODIFY CONDITIONS OF SUPERVISED RELEASE

AND NOW, comes Defendant, Richard Reichert, by and through his undersigned counsel of record, Stephen R. Greenberg, Esquire, and avers as follows:

1. On April 20, 2006, Defendant was sentenced by this Honorable Court to a term of thirty six (36) months imprisonment and a term of lifetime supervised release due to his violation of 18 U.S. C. Section 2252(a)(4)(B).
2. As part of the conditions of supervised release, this Honorable Court directed that “the Defendant is prohibited from accessing any computer equipment or any “on-line” computer service at any location, including employment or education. This includes, but is not limited to, any internet service provider, bulletin board system, or any other public or private computer network”.
3. The lifetime ban imposed against Defendant from accessing any computer equipment or any “on-line” computer service at any location has been deemed improper by the United States Court of Appeals for the Third Circuit in the case of **United States v. Voelker**.

4. Defendant avers that the lifetime ban imposed against him from accessing any computer equipment or any “on-line” computer service at any location mirrors the provision found improper in **United States v. Voelker** and, as such, must be modified.

5. The United States Probation Office has indicated to undersigned defense counsel that they have computer software which can be attached to any computer Defendant is allowed to access to prevent Defendant from accessing illegal or pornographic materials.

WHEREFORE, Defendant, Richard Reichert, respectfully requests this Honorable Court amend his conditions of Supervised Release to allow him to access computer equipment and/or “on-line” computer services and to allow the United States Probation Office to implement any computer software it deems necessary in this matter.

Respectfully Submitted:

/s/ Stephen R. Greenberg, Esquire
Stephen R. Greenberg, Esquire
Attorney for Defendant

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RICHARD REICHERT)	JUDGE: BLOCH

PROPOSED ORDER OF COURT

AND NOW, to wit this _____ day of _____, 2008, pursuant to the Petition of Defendant, it is hereby by **ORDERED, ADJUDGED** and **DECREED** that Defendant's Judgment of Sentence in this matter imposed on April 20, 2006 is modified in the following respects:

BY THE COURT

J.

